

Rule 1007 - 1

Lists, Schedules, Statements and Other Documents

- (a) A debtor desiring an extension of time in which to file the schedules and statements, or chapter 12 or 13 plan or other documents shall give five (5) days notice and hearing to the trustee, the United States trustee, and any examiner or creditors committee appointed or elected. The motion shall be filed with the petition for relief or before the time for filing the schedules and statements or the time for filing a chapter 12 or 13 plan has expired, shall contain a brief statement as to the reason why an extension is required, and a specific date when the required documents will be filed.
- (b) Each item in the schedules and statement of affairs and other documents not otherwise filled out, shall be carried out by the entry "none" or "not applicable" as appropriate.

Related Provisions

FRBP 1002	Voluntary Petition
FRBP 1004	Partnership Petition
FRBP 1005	Caption of Petition
FRBP 1007	Lists, Schedules and Statements
FRBP 1008	Verification of Papers
LBR 5005 - 2	Filing Papers - Numbers of Copies
11 USC 109	Who May Be a Debtor
11 USC 301	Voluntary Cases
11 USC 303(b)(3)	Partnership Petitions
11 USC 521	Debtor's Duties

LBR 1007 - 1
December 1, 2008

Rule 1007-2

Matrix

(a) Voluntary Petition

A voluntary petition shall be accompanied by a matrix in a format designated by the Clerk containing the typed name and address of each creditor. In a case under chapter 11, the matrix shall include the names and addresses of equity security holders. If the United States is a creditor, other than for taxes, the matrix shall contain the name and address of the United States Attorney for the Eastern District of Washington, and any other entity as required by FRBP 2002(j).

(b) Involuntary Petition

In an involuntary case if relief is ordered, the matrix shall be filed with debtor's schedules or as the Court may direct.

(c) Amendment to Matrix

If creditors or equity security holders are added either by an amendment to the creditor schedules or the filing of a schedule of unpaid debts, the amendment shall only include those creditors or equity security holders.

(d) Removal From Matrix

A creditor or equity security holder may be removed from the matrix without an order of the court only at the written request of the creditor or equity security holder.

Related Provisions

DMMA 101	Domestic Mail Manual
FRBP 1009	Amendments
FRBP 1019	Conversion of Case
FRBP 2002 (j)	Notices to the United States
FRBP 5003(e)	Register of Mailing Addresses of Federal & State Governmental Units
LBR 1009-1	Amendments to Lists & Schedules
LF 1007-2.FM	Matrix Format Guidelines

LBR 1007-2
June 15, 2005

Rule 1007 - 3

Notice of Relief Available

- (a) The notice required by 11 USC 342 (b) to be given to each individual who files a petition for relief and whose debts are primarily consumer debts is available from the Court's website at www.waeb.uscourts.gov.
- (b) The debtor, if the petition is not signed by an attorney or petition preparer as noted in 11 USC 521(a)(1)(B)(iii)(II), shall obtain and read the notice referred to in sub-section (a) above and shall file with the petition a certificate to that effect.
- (c) Where a petition is signed by an attorney or petition preparer as noted in 11 USC 521(a)(1)(B)(iii)(I), that attorney or petition preparer shall deliver to the debtor the notice referred to in sub-section (a) above, and shall file a certificate to that effect.

Related Provisions

11 USC 342(b)	Notice
11 USC 521(a)(1)(B)	Debtor's Duties
11 USC 527(a)	Disclosures

Rule 1009 - 1

Amendments To Lists, Schedules and Statements

(a) Amendment to Schedules

When a schedule is amended to include additional creditors or equity security holders, the amendment, if not filed electronically, shall be accompanied by a matrix listing only those additional creditors or equity security holders. If the notice for the meeting of creditors or equity security holders, as applicable, has already been given, the amending party shall provide,, with the notice required by FRBP 1009, a notice of the meeting of creditors or equity security holders, as applicable, to the additional creditors or equity security holders, in the manner required by FRBP 2002 and 9036.

(b) Amendment to Exemptions

When a claim of exemptions is amended, the party filing the amendment shall mail to all parties on the Master Mailing List a copy of such amendment and a notice stating the time limits for making objections to such amendment.

(c) Affidavits or Certificates of Mailing

Any party filing an amendment to lists, schedules and statements shall file along with such amendment an affidavit of mailing or unsworn declaration under penalty of perjury, as appropriate.

Related Provisions

FRBP 1009	Amendments
FRBP 2002	Notice and Hearing
FRBP 4003	Exemptions
11 USC 521	Debtor's Duties
28 USC 1746	Unsworn Declarations Under Penalty of Perjury

LBR 1009 - 1
December 1, 2008

Rule 1014 - 1

Dismissal of Chapter 7 and 13 Cases

(a) Order Dismissing Case

- (1) A request by a party in interest that an order of dismissal be entered pursuant to 11 USC 521(i)(2) shall contain an unsworn statement under penalty of perjury by the requesting party as to which of the documents required to be filed pursuant to 11 USC 521(a)(1) were not filed, whether or not a motion was filed pursuant to 11 USC 521(i)(3) or (4), and the disposition of any motion so filed.
- (2) The proposed order dismissing the case may be submitted without notice pursuant to LBR 9013-1, except that if a motion was filed pursuant to 11 USC 521 (i)(3) or (4), then five days (5) notice and hearing is required to the debtor, debtor's attorney and trustee.

(b) Motion For Order Extending Time to File Documents

A motion for an extension of time in which to file documents pursuant to 11 USC 521(i)(3) shall be made within 45 days of the filing of the petition for relief and as otherwise required by LBR 1007-1.

(c) Dismissal of Case Where no Order Entered

Unless or until an order of dismissal is requested and entered pursuant to sub-section (a) above, the administration of the case may continue in the ordinary manner.

Related Provisions

LBR 1007-1	Lists, Schedules, Statements
11 USC 521(i)	Debtor's Duties

Rule 1015 - 1

Joint Administration/Consolidation

(a) Joint Cases

The estates of debtor spouses filing a joint petition shall be jointly administered unless, at or before the Meeting of Creditors, the trustee or other party in interest objects.

(b) Non-Joint Related Cases

- (1) A motion for an order that two or more cases be jointly administered or consolidated shall be on twenty (20) days notice and hearing to the case trustee, debtor-in-possession, United States trustee and any entity that filed a request to receive notices.
- (2) The motion shall include an affidavit or unsworn statement under penalty or perjury supporting the motion and describing the effect the granting of the motion will have on any of the cases to be jointly administered or consolidated.
- (3) The motion shall include a statement as to which case is to be designated as the lead case. Except for proofs of claim, transfers of claims, objections to proofs of claim and responses, all documents filed in a jointly administered or consolidated case shall be filed in the lead case, however, reference in the caption shall be made to the non-lead case or cases. Proofs of claim, transfers of claims, objections to proofs of claim and responses are to be filed in the case in which the claim arose.
- (4) The moving party shall provide notice in the manner required by FRBP 2002 of an order of joint administration or consolidation to the Master Mailing List (MML) promptly upon its entry. The notice shall include the requirements set out in subparagraph (b)(3) above.

Related Provisions

FRBP 1015	Consolidation or Joint Administration
FRBP 3001	Proof of Claim
LBR 1017-1	Conversion or Dismissal of Joint Cases
LBR 1017-2	Conversion of Chapter 11 Case to Chapter 12 or Chapter 13 Case
LBR 1017-3	Conversion of Chapter 11 Case
LBR 1017-4	Dividing of Joint Cases
LBR 2002-1 (d)(2)	Notice in Non-Lead Consolidated or Joint Administration Case
11 USC 302	Joint Cases
11 USC 522	Exemptions

Rule 1017 - 1

Conversion or Dismissal of Joint Cases

(a) A joint case may not be individually converted by one debtor to another chapter unless the case is first divided into two separate cases.

(b) One debtor in a joint case may move for a separate dismissal without need to first have the case divided into two separate cases.

Related Provisions

FRBP 1015	Consolidation or Joint Administration
FRBP 1017(f)	Procedure for Dismissal, Conversion or Suspension
FRBP 1019	Conversion of a Chapter 11, 12 or 13 Case
LBR 1015-1	Joint Administration/Consolidation
LBR 1017-2	Conversion of Chapter 11, 12 or 13 Case
LBR 1017-3	Conversion or Dismissal of Chapter 11 Cases
LBR 1017-4	Dividing of Joint Cases
11 USC 302	Joint Cases
11 USC 706	Conversion
11 USC 1112	Conversion or Dismissal
11 USC 1208	Conversion or Dismissal
11 USC 1307	Conversion or Dismissal

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JUNE 15, 2005

LBR 1017-2

Conversion of Chapter 11 Case to Chapter 12 or Chapter 13 Case

(a) Notice

A Chapter 11 debtor may request conversion of the case to a case under Chapter 12 or Chapter 13 only after twenty (20) days notice and hearing to all parties on the Master Mailing List in accordance with LBR 2002-1.

(b) Information Required

The request to convert shall include information that the debtor is eligible to be a debtor under the chapter to which the case is to be converted and has not been discharged under 11 USC 1141(d).

(c) Conversion to Chapter 12

In the case of conversion to a Chapter 12 case, the request shall also include an affidavit or statement under penalty of perjury as to why the conversion is equitable.

Related Provisions

FRBP 2002	Notices to Creditors
LBR 1017-1	Conversion or Dismissal of Joint Cases
LBR 1017-3	Conversion or Dismissal of Chapter 11 Cases
LBR 1017-4	Dividing of Joint Cases
LBR 2002-1	Notices to Creditors & Other Interested Parties
11 USC 1112(d)	Conversion or Dismissal

LBR 1017-2
October 15, 2002

Rule 1017-3

Conversion or Dismissal of Chapter 11 Cases

(a) Notice Requirement

A party in interest desiring that a Chapter 11 case be converted or dismissed pursuant to 11 USC 1112 (b) shall do so by motion and give twenty (20) days notice and hearing to the Debtor or Debtor in Possession, the attorney for the debtor or the debtor in possession, the trustee if one is appointed, the United States trustee and the Master Mailing List (MML) in accordance with LBR 2002-1.

(b) Obtaining Hearing Date

Prior to filing the motion, the moving party shall obtain a hearing date and time pursuant to LBR 9073-1(a).

(c) Information Required in Motion and Notice

In addition to the information required by LBR 2002-1(a), the notice and motion shall also contain a detailed statement as to the cause that forms the basis of the motion and the time and place of the hearing of the motion.

Related Provisions:

FRBP 1017	Dismissal or conversion of Case; Suspension
FRBP 2002(a)	Twenty-day Notices to Parties in Interest
LBR 1017-1	Conversion or Dismissal of Joint Cases
LBR 1017-2	Conversion of Chapter 11 Case to Chapter 12 or Chapter 13 Case
LBR 1017-4	Dividing of Joint Cases
LBR 2001-1	Notice to Creditors and Other Interested Parties
LBR 9073-1	Hearings
11 USC 1112	Conversion and Dismissal

Rule 1017 - 4

Dividing of Joint Cases

(a) Motion and Notice

A debtor in a joint case desiring that the case be divided shall file a motion, with ten (10) days notice and hearing to a non-joining debtor, attorney for the debtor and the trustee.

(b) Supporting Documentation

The motion shall be accompanied by the requisite fee and affidavit or unsworn statement under penalty of perjury supporting the motion and describing the effect on the administration of either of the cases or estates that the granting of the motion would likely have.

(c) Chapter 12 & 13 Cases

If the case to be divided is a Chapter 12 or 13 case, the motion to divide shall also include a motion that one of the divided cases, specifically identified by individual debtor, be converted upon entry of the order dividing the cases.

Related Provisions:

FRBP 1017(f)	Procedure for Dismissal, Conversion or Suspension
FRBP 1019	Conversion of a Chapter 11, 12 or 13 Case
LBR 1015-1	Joint Administration/Consolidation
LBR 1017-1	Conversion or Dismissal of Joint Cases
LBR 1017-2	Conversion of Chapter 11 Case to Chapter 12 or Chapter 13 Case
LBR 1017-3	Conversion or Dismissal of Chapter 11 Cases
11 USC 302	Joint Cases
11 USC 541	Property of the Estate
11 USC 1208	Conversion or Dismissal
11 USC 1307	Conversion or Dismissal

Rule 1072-1

Places of Holding Court

(a) Courtroom Hearings

Courtroom hearings are regularly held in Spokane, Yakima and Richland.

(b) Telephonic Hearings

Telephonic hearings are regularly held for the convenience of the parties or the Court.

(c) Participation at Telephonic Hearings

Any party in interest who desires to be heard at a telephonic hearing and who has not filed a pleading in the matter at issue should notify the appropriate chambers no less than one (1) day prior to the hearing of such desire.

(d) Attendance at Hearings

- (1) Members of the public may attend all bankruptcy hearings.
 - (A) In the case of a courtroom hearing, a party need only be present in the designated courtroom at the appointed time.
 - (B) In the case of a telephonic hearing, the party need only call in on the designated telephone number at the appointed time.
 - (C) A party desiring to use court operated telephonic equipment need only present themselves to the appropriate chambers sixty (60) minutes prior to the hearing if they wish to attend by the use of court operated telephonic equipment.
- (2) Attendees at all hearings shall conduct themselves in a manner so as not to disturb the hearing or the participants.

Related Provisions

FRBP 5001 Courts and Clerks' Offices

28 USC 152 Places of Holding Court

LBR 1072-1
February 1, 2005